

**AGENDA MEMO**

**CITY COUNCIL MEETING OF: AUGUST 19, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-34710 - APPLICANT: NV ENERGY - OWNER: USA AND NV ENERGY**

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**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

**Planning and Development**

1. A Waiver of Title 19.12 Landscape and Buffer Standards is hereby approved, to allow a 10-foot buffer along the north, south and east perimeter where 15 feet is the minimum required.
2. A Waiver of Title 19.12 Landscape and Buffer Standards is hereby approved, to allow five-gallon Joshua Trees where 24-inch box trees are required.
3. Any walls exceeding eight feet in height will require a Variance.
4. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 07/02/09, except as amended by conditions herein.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The landscaping shall be installed when water becomes available on-site and street improvements are completed.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. All walls shall comply with Title 19.12 Landscape and Buffer Standards and shall consist of acceptable decorative wall materials including, without limitation, stone, decorative block, slump, stone, and wrought iron, and shall have minimum of twenty percent contrasting material.

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

12. Entry gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right of way.
13. Provide legal access to this site that is paved or otherwise meets Clark County Dust Control standards concurrent with the development of this site. No other offsite improvements are required at this time. However, this site should be designed to provide for the future dedication and construction of Moccasin Road, Shaumber Road, and Quintana Street (AKA Rocky Avenue on the site plan), including appropriate radii at each intersection as required by the Department of Public Works.
14. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving, all appurtenant underground facilities for future traffic signals and possibly fire hydrants and sewers) on Moccasin Road, Shaumber Road, and Rocky Avenue adjacent to this site prior to the issuance of any permits as required by the Department of Public Works. In lieu of a covenant, a letter to the City of Las Vegas on corporate letterhead indicating the future commitment to dedicate the appropriate right-of-way and to construct all offsite improvements as needed within one year after the receipt of a written notice from the Director of Public Works to do so shall suffice as required by the Department of Public Works.
15. Entry gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate; alternatively the gates shall remain open during regular hours of operation. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right of way.

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The subject site contains an existing Electrical Utility Substation on 25 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment. The applicant is expanding the existing electrical substation and will add five acres to the subject site. The expansion of the site will increase the overall site to 30 acres. A related General Plan Amendment (GPA-34706) and (ZON-34709) will also be heard with the subject case. The proposed expansion of the substation will improve the existing power grid and will have a minimal impact on the existing site and the surrounding uses; therefore staff recommends approval of the subject application.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc. and Property Sales</i>	
11/14/90	A deed was recorded for a change of ownership for APNs: 126-01-101-003 and 004.
07/91	The Board of County Commissioners approved an application (UC-0165-91) for an electrical substation and a (VC-0338-91) to waive landscaping, on-site paving and a trash enclosure. The Variance application expired five years from the date of approval.
05/04/99	A deed was recorded for a change of ownership for APN: 126-01-101-002.
10/01	The Board of County Commissioners approved an application (UC-1158-01) for the expansion of an existing electrical substation and an application (WS-1408-01) to waive landscaping, on-site paving, and the trash enclosure in conjunction with the approved substation.
05/21/04	A Clark County building permit (#04-5876) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 05/24/04.
05/21/04	A Clark County building permit (#04-5878) was issued for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 05/24/04.
01/31/06	A Clark County building permit (#05-30753) was issued to add antennas on an existing non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 02/01/06.
01/31/06	A Clark County building permit (#05-30756) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 02/01/06.

04/01/09	The City Council approved an Annexation (ANX-27030) of property generally located on the south side of Moccasin Avenue alignment, 660 feet west of Larry McBryde Street alignment, containing approximately 33.66 acres. The effective date of the Annexation was 06/03/09.
07/23/09	<p>The Planning Commission recommended approval of companion item GPA-34706 and SDR-34710 concurrently with this application.</p> <p>The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #13/bts).</p>
<b><i>Related Building Permits/Business Licenses</i></b>	
The existing Electrical Utility Substation was built prior to Annexation in the City.	
<b><i>Pre-Application Meeting</i></b>	
04/02/09	<p>A pre-application meeting was completed on the indicated date. The following is a list of items discussed at the meeting;</p> <ul style="list-style-type: none"> <li>• Annexation of related properties and the effective date of 06/30/09.</li> <li>• Related Rezoning application will affect APN: 126-01-201-016</li> <li>• Perimeter wall must comply with Title 19.12.075</li> <li>• Expansion of an existing electrical utility substation.</li> </ul>
<b><i>Neighborhood Meeting</i></b>	
06/23/09	<p>A neighborhood meeting was held at 5:30pm at the Centennial Hills YMCA, City of Las Vegas Community Resources Room, located at 6601 N. Buffalo Drive Las Vegas, Nevada 89131. There were five members of the public, six representatives of the applicant and two members of City staff in attendance.</p> <p>The following is a list of questions, concerns and comments from the attendants of the meeting:</p> <ul style="list-style-type: none"> <li>• A question was raised as to why the substation was being expanded; the applicant responded that it is to accommodate future growth in the area.</li> <li>• A resident questioned if the proposed rezoning would affect any of the adjacent parcels.</li> <li>• A question was asked regarding the uses that would be permitted under the PF land use designation.</li> <li>• A resident raised several questions about the status of the Kyle Canyon development.</li> <li>• Several questions were raised relative to the height of the substation equipment and screening; the applicant responded that the equipment would be no higher than the existing equipment, and that eventually a block wall and buffer landscaping will be provided. The applicant further explained that the landscaping cannot be installed until water is available at the site (it was explained that the site is 2 miles from the nearest point of connection to the water system).</li> <li>• A question was raised regarding vehicular access to the site; it was explained that access would be provided from the frontage road along US 95, and that they would be constructing half-street improvements abutting the site.</li> </ul>

<b>Field Check</b>	
06/18/09	<p>A field check was completed on the indicated date. The following items were observed on the subject site.</p> <ul style="list-style-type: none"> <li>• Staff identified the existing utility substation and the undeveloped parcels around the subject site.</li> <li>• Staff identified an existing non-stealth cellular facility on the subject site.</li> </ul>

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	70.0 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	NV Energy Utility Substation	PCD (Planned Community Development) [Proposed: PF (Public Facilities)]	C-V (Civic) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] [Proposed: C-V (Civic)]
North	Undeveloped	RR (Residential Rural) Clark County	R-U (Rural Open Land) Clark County
South	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
East	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
West	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	N/A
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
C-V Civic District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

Pursuant to Title 19.06.020, the minimum development standards for property in the C-V (Civic) district shall be established by the City Council in connection with the approval of a rezoning application or administratively in connection with the approval of a site development plan review. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The subject site is proposed as a C-V (Civic) zone and PF (Public Facilities).

***Pursuant to Title 19.06.020, the following standards are proposed:***

<b><i>Standard</i></b>	<b><i>Provided</i></b>
Min. Lot Size	30 acres
Min. Setbacks	
• Front (north property line)	185 Feet
• Corner Side (west property line)	100 Feet
• Corner Side (east property line)	139 Feet
• Rear (south property line)	190 Feet
Max. Building Height	195 Feet

***Pursuant to Title 19.12, the following standards apply:***

<b><i>Landscaping and Open Space Standards</i></b>		
<b><i>Standards</i></b>	<b><i>Provided</i></b>	
	<b><i>Ratio</i></b>	<b><i>Trees</i></b>
Buffer:		
Min. Trees		
(North property line)	1 Tree/ 20 Linear Feet	64 Trees
(South property line)	1 Tree/ 20 Linear Feet	64 Trees
(West property line)	1 Tree/ 20 Linear Feet	44 Trees
(East property line)	1 Tree/ 20 Linear Feet	44 Trees
<b>TOTAL</b>		216 Trees
Min. Zone Width:		
North property line	10 Feet	
South property line	10 Feet	
West property line	30 Feet	
East property line	10 Feet	
Wall Height	8 Feet	

## ANALYSIS

The applicant is proposing to expand an existing Electric Utility Substation by five acres. The existing use of the subject site for an Electric Utility Substation is a non-conforming use of land and cannot be expanded, pursuant to Title 19.06.030 (D). A related General Plan Amendment (GPA-34706) and Rezoning (ZON-34709) will accompany the subject application. The proposed Rezoning from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-V (Civic) and the General Plan Amendment to PF (Public Facilities) will allow the existing Electric Utility Substation and expansion as a conforming use. The subject site is also surrounded by an existing chain-link fence with barbed wire, which was built as a part of the original development. The subject Site Development Plan Review will establish the Electric Utility Substation use on the subject site pursuant to Title 19.06.

## FINDINGS

The following findings must be made for a Site Development Plan Review:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed development is compatible with adjacent development and development in the area. The site has existed in its current configuration since it was first constructed in 1993. The proposed addition to the existing Electric Utility Substation will have a minimal impact on the subject site.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is consistent with all applicable City plans, policies and standards for a development within a proposed C-V (Civic) zoning district.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Access to the site is provided from Mocassin Road, which is currently an unimproved roadway. The applicant is working with Public Works to defer any roadway improvements to the subject site. The Electric Utility Substation will produce a negligible amount of traffic. Therefore, there are adequate facilities to accommodate an expansion of and existing Electric Utility Substation.

4. **Building and landscape materials are appropriate for the area and for the City;**

The proposed building materials are appropriate for this area of the City.



5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The overall design of the subject site expansion will closely match the existing Electric Utility Substation, thereby remaining compatible with the existing development.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

#### **PLANNING COMMISSION ACTION**

The Planning Commission added conditions 1 through 3 and amended condition #12 at the meeting. The applicant agreed to all conditions.

**ASSEMBLY DISTRICT**      13

**NOTICES MAILED**      42 by City Clerk

**APPROVALS**      0

**PROTESTS**      1